

mg. per lb. Alphatocopherol (Vit. E) 200 mg. per lb. Ascorbic Acid (Vit. C) 200 mg. per lb."

RESULTS OF INVESTIGATION: The article was shipped unlabeled as described above and after its receipt by the dealer at Slayton, Minn., the tins containing the article were labeled with the above-mentioned labels.

LIBELED: 3-28-60, Dist. Minn.

CHARGE: 502(a)—the label of the article, while held for sale, contained false and misleading representations that the article was an adequate and effective treatment and preventive of all diseases in poultry, hogs, calves, lambs, dogs, cats, and mink; and 502(1)—the article was a drug composed in part of penicillin and streptomycin sulfate and it was not from a batch with respect to which a certificate or release had been issued pursuant to 507 in that certification of the article under the above-mentioned label had not been obtained.

DISPOSITION: 5-11-60. Consent—claimed by Tracy L. Hafner, t/a Tracy Hafner Slayton Drug Store, and released for relabeling.

DRUGS IN VIOLATION OF PRESCRIPTION LABELING REQUIREMENTS

6204. Seconal Sodium capsules and amphetamine tablets. (F.D.C. No. 43585. S. No. 66-005 P.)

QUANTITY: 50,000 tablets of amphetamine and 1,000 capsules of Seconal Sodium at Stamford, Conn.

SHIPPED: On or about 10-8-59, from New Jersey to Connecticut, by Charles W. Christiansen, also known as Charlie Benjamin.

LIBELED: On or about 10-8-59, Dist. Conn.

CHARGE: 502(b)—the articles failed to bear labels containing (1) the name and place of business of the manufacturer, packer, or distributor and (2) an accurate statement of the quantity of contents in terms of weight, measure, or numerical count; 502(d)—the *Seconal Sodium capsules* contained a chemical derivative of barbituric acid, and their label failed to bear the name, and quantity, or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming"; 502(e)(1)—the labels of the articles failed to bear the common or usual names of the articles; 502(f)(1)—the labeling of the articles failed to bear adequate directions for use and they were not exempt from such requirement since the articles were in possession of persons who were not regularly and lawfully engaged in the manufacture, transportation, storage or wholesale distribution of prescription drugs and since the articles were not to be dispensed as required by 503(b)(1); and 503(b)(4)—the articles were subject to 503(b)(1) and their labeling failed to bear the mandatory statement "Caution: Federal law prohibits dispensing without prescription."

DISPOSITION: 6-28-60. Default—destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

6205. Various drugs. (F.D.C. No. 44590. S. Nos. 19-841 R, 19-843 R, 19-846 R, 19-851/4 R, 19-856 R, 19-858/9 R, 19-861 R, 19-864 R, 19-868/70 R, 19-872 R, 19-875 R, 19-877 R, 19-881 R, 21-067/71 R, 21-073/4 R, 21-077 R, 21-079 R, 21-083 R, 21-087/8 R, 21-093/4 R, 21-097 R, 21-099/100 R, 21-103 R, 21-107 R, 21-110/11 R, 21-113 R, 21-117/19 R, 21-122 R.)

*See also Nos. 6202, 6204.

QUANTITY: About 644 lbs. of various quantities of bulk and repackaged herbal preparations and other drugs at Detroit, Mich., in possession of W.E.B. Chemical & Products Co. The repackaged herbal preparations and drugs consisted of articles labeled in part "*Potter's Paste*" or "*Potter's Cream*," "*Brain Herb Tonic*," "*Kidney Tonic*," "*Special Palsy Tonic*," "*Prostate Gland Tonic*," "*Red Blood Tonic*," "*Brown's Appetite Tonic*," "*Brown's Black Liquid*," "*Brown's Blood Circulation Tonic*," "*Building-Up Tonic*," "*Cramp Bark Herb Tonic*," "*Golden Seal Tonic*," "*Herb Laxative*," "*Heart Tonic*," "*Marvelous Nerve Tonic*," "*Ringworm Extract*," "*For Sinus*," "*Varicose Veins Tonic*," "*Brain Herb Tonic Tea*," "*For External Cataract*," "*Diabetes Herb Tea*," "*Herbs for Douche*," "*Hardening of the Arteries Herb Tea*," "*Special Blood Herb Tea*," "*Tapeworm Tea*," "*Appetite Herb Tea*," "*Bed-Wetting Herb Tea*," "*Building-Up Herb Tea*," "*Dropsy Herb Tea*," "*Eczema Herb Tea*," "*Gruel*," "*Hay Fever*," "*For Hiccough*," "*Kidney Herb Tea*," "*Laxative Tea*," "*Herb Tea for Monthly Trouble*," "*Prostate Gland Herb Tea*," "*For a Wash for Skin Ailments*," "*Herb Tea for Sleeplessness*," "*Herb Tea to Stop Vomiting*," "*Iodine Ration Capsules*," "*Stimulant Capsules*," "*Reducing Capsules*," "*Special Cream*."

The bulk herbal preparations and drugs consisted of Beech bark, Beech leaves, bloodroot (whole), Black Willow bark, bloodroot (cut), goldenseal, mandrake, nettle, vinca major, queen's root, Slippery Elm, wintergreen, agrimony, alfalfa seed, alfalfa tea (buffalo herb), American sarsaparilla, bearberry, beth root, black cohosh, black root, Black Walnut leaves, blue flag, boneset, broom tops, brown sugar, burdock, Cajeput oil, camphor, Cascara sagrada extract, camomile, Chestnut leaves, compound cinchona tincture, columbo, comfrey root, corn silk, cramp bark, cubeb (Java pepper), devils-shoestring, dill herb (common dill plant), dog grass (couch grass, quick grass), elecampane, elder flowers (honeysuckle), European centaury, eyebright, fenugreek, figwort, fragrant valerian, gentian root, Jamaica ginger, gobernadora, gravel plant, Grotta's Cold Cream, gold thread (golden thread), Holly leaves, hops, tincture of iodides, Juniper berries, kelp, kola nuts, ladyslipper, lanolin, Licorice root, linden flowers, lobelia, male fern, marshmallow root, Mistletoe, mineral oil, Pareira Brava, Parsley Piert, Peach Tree leaves, phenol, plantain, pleurisy weed (pleurisy root), pokeroot, potassium iodide, Prickly Ash bark, Prickly Ash berries, queen of the meadow, red raspberry leaves, Roman camomile, Roman motherwort, sage, sassafras, saw palmetto, skullcap, sea wrack, senna leaves, shepherd's-purse, skunk cabbage, sodium benzoate, spikenard (spignet), spearmint, sulfathiazole, tansy, Thuja (Tree of Life), turtlebloom, Wafer Ash, wahoo, White Poplar, wild carrot herb, woodbetony, yellow dock, yerba-santa, and almond oil.

SHIPPED: Between 1-8-59 and 2-4-60, from Hammond, Ind.; San Francisco, Calif.; St. Louis, Mo.; New York, N.Y.; Boston, Mass.; New Orleans, La.; Monticello, N.Y.; Philadelphia, Pa.; Indianapolis, Ind.; and Newark, N.J.

ACCOMPANYING LABELING: Loose repack labels, order forms, and price lists headed "We Carry a Full Line of Herb Teas and All Kinds of Herb Tonics."

RESULTS OF INVESTIGATION: The repackaged articles had been repacked and labeled by the dealer from bulk raw materials shipped as described above.

LBELED: 6-8-60, E. Dist. Mich.

CHARGE: All articles, except the article labeled "Potter's Paste" or "Potter's Cream," 502(a)—while held for sale, the labeling of the articles contained false and misleading representations that the articles were an adequate and effective treatment for external cataracts; arthritis; brain trouble; and "other complaints"; diabetes; hardening of the arteries; heart disease; purifying the blood; impure blood; acid liver; removal of tapeworms; appendicitis; increasing the appetite; asthma; bed-wetting; improving circulation of the blood; tumors; boils; growths; lack of vitality, strength, pep and vigor; change-of-life, or menopause, and menstrual irregularities; diarrhea; dropsy; eczema; epilepsy; improving eyesight; gallstones; improperly functioning glands; ulcerated stomach; hay fever; hemorrhages; hiccough; high blood pressure; diseases of the kidneys; constipation; nervous conditions; rheumatism; muscular conditions; night sweats; pleurisy; prostate trouble; ruptures; skin diseases; sleeplessness; varicose veins; vomiting; removal of all types of worms; goiter; weight reduction; skin eruptions; swelling of joints; bladder troubles; palsy; anemia; wounds; bruises; colds; menstrual cramps and pains; inflammatory conditions; debilitating diseases; ringworm; sinus conditions; kidney stones; irritated and inflamed urinary tract; and ear troubles.

Article labeled in part "*Potter's Paste*" or "*Potter's Cream*," 502(b)—while held for sale, it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor and (2) an accurate statement of the quantity of the contents; 502(e) (2)—the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each active ingredient; and 502(f) (1)—the labeling of the article failed to bear adequate directions for use in the treatment of cancer of the breast, and goiters, diseases for which it was recommended orally at the dealer's retail establishment.

DISPOSITION: 7-8-60. Default—destruction.

6206. "Thermassage" chair. (F.D.C. No. 44423. S. No. 11-713 R.)

QUANTITY: 24 chairs at Chicago, Ill., in possession of the Oxford Chair Co.

SHIPPED: 3-14-60, from Los Angeles, Calif.

RESULTS OF INVESTIGATION: Examination showed that the article was an adjustable, upholstered, reclining chair, containing an electric heating element and a vibrator unit. On the right arm of the chair was a control panel for adjusting the degree of heat and degree of vibration.

LIBELED: 4-4-60, N. Dist. Ill.

CHARGE: 502(f) (1)—the labeling of the article, while held for sale, failed to bear adequate directions for use in overcoming or preventing arthritis, cancer, heart attacks, strokes, kidney conditions, varicose veins, and liver conditions which were the purposes and conditions for which the dealer orally offered the article.

DISPOSITION: 5-4-60. Consent—claimed by Oxford Furniture Distributing Co., Los Angeles, Calif., and relabeled. The decree provided, among other things, that no words, statement, or information required by the Act should be made in labeling or otherwise, except as it appeared in a leaflet entitled "The Oxford Thermassage Chair" which was attached to the decree and made a part thereof.